

## Message Text

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47

ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 CIEP-01 FAA-00 L-03 /027 W

----- 088054

R 131301Z SEP 76

FM AMCONSUL RIO DE JANEIRO

TO SECSTATE WASHDC 4115

INFO AMEMBASSY BRASILIA

AMCONSUL SAO PAULO

LIMITED OFFICIAL USE RIO DE JANEIRO 3425

E.O. 11652: N/A

TAGS : EAIR BR

SUBJECT : EXCESS BAGGAGE REGULATIONS

REF: STATE 208116

1. CONGEN OFFICER PRESENTED CAB STATEMENT PER REFTEL TO BRIG MOASSAB, DIRECTOR OF PLANNING, DEPARTMENT OF CIVIL AVIATION. HE CALLED IN CHIEF DAC LEGAL ADVISOR. BRIG MOASSAB SAID THAT US HAD TAKEN UNILATERAL ACTION WITHOUT CONSULTING IATA, GOB OR OTHER FOREIGN GOVERNMENTS, AND ADDED THAT THIS PROCEDURE CONCERNED HIM. CONGEN OFFICER POINTED OUT THAT CAB IS A USG REGULATORY AGENCY WHICH CONDUCTS ITS ACTIVITIES VIA PUBLIC HEARINGS. CONGEN OFFICER SAID THAT EVEN THOUGH AFFECTED FOREIGN AIRLINES WERE NOTIFIED THAT CAB HAD BEEN CONSIDERING THIS ACTION FOR SEVERAL YEARS, NEITHER VARIG NOR GOB HAD TAKEN OPPORTUNITY TO PRESENT THEIR CASE IN THE CAB HEARINGS.

2. BRIG MOASSAB AND HIS LEGAL ADVISOR NOTED THAT USG HAD IGNORED BILATERAL CIVAIR AGREEMENT PROVISION REQUIRING CONSULTATION IN EVENT OF DISAGREEMENT ON TARIFFS. BRIG MOASSAB STATED THAT IATA IS NOW CONSIDERING THE EXCESS BAGGAGE ALLOWANCE AND BRAZIL WOULD ABIDE BY THE IATA DECISION. HE SAID THAT THE CURRENT UNEQUAL EXCESS BAGGAGE ALLOWANCE NORTH AND SOUTH BOUND WAS UNDESIRABLE SITUATION.

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3. CONGEN OFFICER ASSURED BRIG MOASSAB THAT CAB STATEMENT WAS INFORMAL PAPER TO KEEP THE GOB INFORMED ON US POSITION AND NO FORMAL RESPONSE WAS EXPECTED AT THIS TIME. BRIG MOASSAB SAID HE MAY SEND COPIES OF CAB POSITION TO CERNAI AND FORNMIN FOR THEIR USE IN DISCUSSING QUESTION WITH THIRD COUNTRIES.

4. COMMENT: BRIG MOASSAB AND DAC LEGAL ADVISOR BOTH GAVE IMPRESSION OF BEING WELL VERSED ON ISSUE, SUGGESTING THAT RATES HAVE BEEN CONSIDERED AT SOME LENGTH BY GOB CIVAIR AUTHORITIES. THEY FELT THAT THE US APPROACH TO ISSUE WAS HASTY AND INAPPROPRIATE. THE LACK OF OFFICIAL ADVANCE NOTICE PROBABLY CONTRIBUTED GREATLY TO THEIR ANNOYANCE AT THE DECISION. THIS IS MINOR IRRITANT IN CONTEXT OF BROADER US/BRAZIL CIVAIR RELATIONS. WE BELIEVE THAT THE LESS SAID ON ISSUE BILATERALLY, THE LESS LIKELY IT IS TO BECOME A MAJOR IRRITANT. FOR THAT REASON, WE ARE KEEPING OUR PRESENTATION AT RELATIVELY LOW LEVEL AND WE DO NOT PLAN TO FOLLOW UP WITH CERNAI.  
DEXTER

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NNN

## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AIR CARGO, AVIATION REGULATIONS  
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**Disposition Approved on Date:**  
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**Disposition Date:** 28 MAY 2004  
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